working copy

MINIMUM FILING FEE: $100.00
FILE ORIGINAL & ONE COPY
TYPE OR PRINT IN BLACK INK
(For explanation of entries required, see booklet " How to File an Application to Appropriate Water in California")

STATE OF CALIFORNIA
State Water Resources Control Board
DIVISION OF WATER RIGHTS
901 P Street, Sacramento
P. O. Box 2000, Sacramento, CA 95812-2000

2003 JUL 29 AM 8:17
DIV OF WATER RIGHTS SACRAMENTO
STATE WATER RESOURCES CONTROL BOARD

APPLICATION TO APPROPRIATE WATER BY PERMIT

Application No. 31435
(Leave blank)

1. APPLICANT

Audrey Leilani Richardson
(Name of applicant)

(707) 743 - 1454
(Telephone number where you may be reached between 8 a. m. and 5 p. m. - include area code)

c/o Welch Vineyard Management

10751-B Main Street, Potter Valley, CA 95469
(Mailing address) (City or town) (State) (Zip code)

2. SOURCE

a. The name of the source at the point of diversion is Unnamed Stream
(If unnamed, state that it is an unnamed stream, spring, etc.)

tributary to Unnamed Stream thence Russian River

b. In a normal year does the stream dry up at any point downstream from your project? YES [X] NO [ ] If yes, during what months is it usually dry? From May to October

What alternate sources are available to your project should a portion of your requested direct diversion season be excluded because of a dry stream or nonavailability of water? N/A

3. POINTS of DIVERSION and REDIVERSION

a. The point(s) of diversion will be in the County of Mendocino

b.

List all points giving coordinate distances from section corner or other tie as allowed by Board regulations i. e. California Coordinate System	Point is within (40-acre subdivision)	Proj. Section	Township	Range	Base and Meridian
N.569,630, E.1,662,120	SW 1/4 of SE 1/4	21	16N	12W	MD
California Coordinates, Zone 2	1/4 of 1/4				
	1/4 of 1/4				

c. Does applicant own the land at the point of diversion? YES [X] NO [ ]

d. If applicant does not own the land at point of diversion, state name and address of owner and what steps have been taken to obtain right of access:

FOR0053-R2

4. PURPOSE of USE, AMOUNT and SEASON

a In the table below, state the purpose(s) for which water is to be appropriated, the quantities of water for each purpose, and the dates between which diversions will be made. Use gallons per day if rate is less than 0.025 cubic foot per second (approximately 16,000 gallons per day). Purpose must only be "Domestic" for registration of small domestic use.*

PURPOSE OF USE (Irrigation, Domestic, etc.)	DIRECT DIVERSION				STORAGE		
	QUANTITY		SEASON OF DIVERSION		AMOUNT	COLLECTION SEASON	
	RATE (Cubic feet per second or gallons per day)	AMOUNT (Acre-feet per year)	Beginning Date (Mo. & Day)	Ending Date (Mo. & Day)	Acre-feet per annum	Beginning Date (Mo. & Day)	Ending Date (Mo. & Day)
Irrigation, Frost Protection,					10	12/15	3/31
Heat Control, Fire Protection,							
Incidental Recreation							
					10		

b.Total combined amount taken by direct diversion and storage during any one year will be 10 acre-feet.

*Not to exceed 4,500 gallons per day by direct diversion or 10 acre-feet per annum by storage.

5. JUSTIFICATION OF AMOUNT

a. IRRIGATION: Maximum area to be irrigated in any one year is 30 acres.

CROP	ACRES	METHOD OF IRRIGATION (Sprinklers, flooding, etc.)	ACRE-FEET PER YEAR	NORMAL SEASON	
				Beginning Date	Ending Date
Vineyard	30	Drip	10	4/15	10/15

b. DOMESTIC: Number of residences to be served is _____. Separately owned ? YES ☐ NO ☐
Total number of people to be served is _____. Estimated daily use per person is _____ (Gallons per day)
Total area of domestic lawns and gardens is _____ square feet.
Incidental domestic uses are _____ (Dust control area, number and kind of domestic animals, etc.)

c. STOCKWATERING: Kind of stock _____ Maximum number _____
Describe type of operation: _____ (Feed lot, dairy, range, etc.)

d. RECREATIONAL: Type of recreation: Incidental Fishing ☒ Swimming ☒ Boating ☐ Other ☐

e. MUNICIPAL: (Estimated projected use)

POPULATION 5-Year periods until use is completed		MAXIMUM MONTH		ANNUAL USE		
PERIOD	POP.	Average daily use (gal. per capita)	Rate of diversion (cfs)	Average daily use (gal. per capita)	Acre-foot (per capita)	Total acre-feet
Present						

Month of maximum use during year is _____. Month of minimum use during year is _____.

f. HEAT CONTROL: The total area to be heat protected is 30 net acres.
Type of crop protected is Vineyard
Rate at which water is applied to use is 35 gpm per acre.
The heat protection season will begin about 6/1 (Date) and end about 8/31 (Date)

g. FROST PROTECTION: The total area to be frost protected is 30 net acres.
Type of crop protected is Vineyard
Rate at which water is applied to use is 55 gpm per acre.
The frost protection season will begin about 3/1 (Date) and end about 5/15 (Date)

h. INDUSTRIAL: Type of industry is _____
Basis for determination of amount of water needed is _____

i. MINING: The name of the claim is _____. Patented ☐ Unpatented ☐
The nature of the mine is _____. Mineral to be mined is _____
Type of milling or processing is _____
After use, the water will be discharged into _____ (Name of stream)
in _____ 1/4 of _____ 1/4 of Section _____, T _____, R _____, _____ B. & M. (40-acre subdivision)

j. POWER: The total fall to be utilized is _____ feet. The maximum amount of water to be used through the penstock is _____ cubic feet per second. The maximum theoretical horsepower capable of being generated by the works is _____ (Cubic feet per second x fall ÷ 8.8). Electrical capacity is _____ kilowatts at _____ % efficiency. (Hp x 0.746 x efficiency)
After use, the water will be discharged into _____ (Name of stream)
in _____ 1/4 of _____ 1/4 of Section _____, T _____, R _____, _____ B. & M. FERC No. _____ (40-acre subdivision)

k. FISH AND WILDLIFE PRESERVATION AND/OR ENHANCEMENT: YES ☐ NO ☐ If yes, list specific species and habitat type that will be preserved or enhanced in item 17 of Environmental Information form WR 1-2.

l. OTHER: Describe use: Fire Protection. Basis for determination of amount of water needed is Fire Fire Protection will be incidental to irrigation use.

6. PLACE OF USE

a. Does applicant own the land where the water will be used? YES [X] NO [ ] Is land in joint ownership? YES [ ] NO [X]
(All joint owners should include their names as applicants and sign the application.)
If applicant does not own land where the water will be used, give name and address of owner and state what arrangements have been made with the owner. _____

b.

USE IS WITHN (40-acre subdivision)				Proj. SECTION	TOWNSHIP	RANGE	BASE & MERIDIAN	IF IRRIGATED	
								Number of acres	Presently cultivated (Y/N)
SW	1/4 of	NE	1/4	21	16N	12W	MD	4	Y
NW	1/4 of	SE	1/4	21	16N	12W	MD	8	Y
NE	1/4 of	SE	1/4	21	16N	12W	MD	12	Y
SE	1/4 of	SE	1/4	21	16N	12W	MD	6	Y
	1/4 of		1/4						
	1/4 of		1/4						

(If area is unsurveyed, state the location as if lines of the public land survey were projected, or contact the Division of Water Rights. If space does not permit listing all 40-acre tracts, include on another sheet or state sections, townships and ranges, and show detail on map.)

7. DIVERSION WORKS

a. Diversion will be by gravity by means of Dam
(Dam, pipe in unobstructed channel, pipe through dam, siphon, weir, gate, etc.)

b. Diversion will be by pumping from _____ Pump discharge rate _____ Horsepower _____
(Sump, offset well, channel, reservoir, etc.) (cfs or gpd)

c. Conduit from diversion point to first lateral or to offstream storage reservoir:

CONDUIT (Pipe or channel)	MATERIAL (Type of pipe or channel lining) (Indicate if pipe is buried or not)	CROSS SECTIONAL DIMENSION (Pipe diameter or ditch depth and top and bottom width)	LENGTH (Feet)	TOTAL LIFT OR FALL		CAPACITY (Estimate)
				Feet	+ or -	

d. Storage reservoirs: (For underground storage, complete Supplement 1 to WR1, available upon request.)

Name or number of reservoir, if any	DAM				RESERVOIR		
	Vertical height from downstream toe of slope to spillway level (ft.)	Construction material	Dam length (ft.)	Freeboard Dam height above spillway crest (ft.)	Approximate surface area when full (acres)	Approximate capacity (acre-feet)	Maximum water depth (ft.)
#1	24	Earth	300	2	1.0	10	22

e. Outlet pipe: (For storage reservoirs having a capacity of 10 acre-feet or more.)

Diameter of outlet pipe (inches)	Length of outlet pipe (feet)	FALL (Vertical distance between entrance and exit of outlet pipe in feet)	HEAD (Vertical distance from spillway to outlet pipe in reservoir in feet)	Estimated storage below outlet pipe entrance (dead storage)
12	125	1'	20'	1 AF

f. If water will be stored and the reservoir is not at the point of diversion, the maximum rate of diversion to offstream storage will be _____ cfs. Diversion to offstream storage will be made by: [ ] Pumping [ ] Gravity

8. COMPLETION SCHEDULE

a. Year work will start _____ b. Year work will be completed _____
c. Year water will be used to the full extent intended 2013 d. If completed, year of first use Reservoir built in 1960's.

9. GENERAL

a. Name of the post office most used by those living near the proposed point of diversion is Calpella

b. Does any part of the place of use comprise a subdivision on file with the State Department of Real Estate? YES ☐ NO ☒

If yes, state name of the subdivision_____

If no, is subdivision of these lands contemplated? YES ☐ NO ☒

Is it planned to individually meter each service connection? YES ☐ NO ☐ If yes, When? N/A

c. List the names and addresses of diverters of water from the source of supply downstream from the proposed point of diversion: See files of SWRCB.

d. Is the source used for navigation, including use by pleasure boats, for a significant part of each year at the point of diversion, or does the source substantially contribute to a waterway which is used for navigation, including use by pleasure boats? YES ☐ NO ☒ If yes, explain:_____

10. EXISTING WATER RIGHT

Do you claim an existing right for the use of all or part of the water sought by this application? YES ☐ NO ☒

If yes, complete table below:

Nature of Right (riparian, appropriative, groundwater.)	Year of First Use	Purpose of use made in recent years including amount, if known	Season of Use	Source	Location of Point of Diversion

11. AUTHORIZED AGENT (Optional)

With respect to ☒ all matters concerning this water right application ☐ those matters designated as follows:

Wagner & Bonsignore
Consulting Civil Engineers, A Corp. (916) 441-6850

(Name of agent) (Telephone number of agent between 8 a. m. and 5 p. m.)

444 North Third Street, Suite 325, Sacramento, CA 95814

(Mailing address) (City or town) (State) (Zip code)

is authorized to act on my behalf as my agent.

12. SIGNATURE OF APPLICANT

I (we) declare under penalty of perjury that the above is true and correct to the best of my (our) knowledge and belief.

Dated 5-28 2003, at Ukiah, California

Ms. Mr.
Miss. Mrs. Mark W. Wagner

(Signature of applicant)

(If there is more than one owner of the project, please indicate their relationship.)

Ms. Mr.
Miss. Mrs._____

(Signature of applicant)

Additional information needed for preparation of this application may be found in the Instruction Booklet entitled "HOW TO FILE AN APPLICATION TO APPROPRIATE WATER IN CALIFORNIA". If there is insufficient space for answers in this form, attach extra sheets. Please cross-reference all remarks to the numbered item of the application to which they may refer. Send original application and one copy to the STATE WATER RESOURCES CONTROL BOARD, DIVISION OF WATER RIGHTS, P. O. Box 2000, Sacramento, CA 95812-2000, with $100 minimum filing fee.

NOTE:
If this application is approved for a permit, a minimum permit fee of $100 will be required before the permit is issued. There is no additional fee for registration of small domestic.

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
901 P Street, Sacramento
P. O. Box 2000, Sacramento, CA 95810

APPLICATION TO APPROPRIATE WATER BY PERMIT
ENVIRONMENTAL INFORMATION

(THIS IS NOT A CEQA DOCUMENT)

APPLICATION NO. 31435
(leave blank)

The following information will aid in the environmental review of your application as required by the California Environmental Quality Act (CEQA). IN ORDER FOR YOUR APPLICATION TO BE ACCEPTED AS COMPLETE, ANSWERS TO THE QUESTIONS LISTED BELOW MUST BE COMPLETED TO THE BEST OF YOUR ABILITY. Failure to answer all questions may result in your application being returned to you, causing delays in processing. If you need more space, attach additional sheets. Additional information may be required from you to amplify further or clarify the information requested in this form.

PROJECT DESCRIPTION

1. Provide a brief description of your project, including but not limited to type of construction activity, structures existing or to be built, area to be graded or excavated and project operation, including how the water will be used.

This project involves the diversion of water for storage in an existing onstream reservoir, built in the 1960's, and located on the Applicant's property. Water will be diverted at Point of Diversion #1 from an unnamed stream tributary to a second unnamed stream thence the Russian River. The water will be used for irrigation, frost protection, and heat control of 30 acres of existing vineyard, and for fire protection and incidental recreational purposes at the reservoir. The reservoir has a current capacity of approximately 10 acre-feet. Historically, the land has been cultivated in vineyard since the early 1960's, and has been stock-grazed for nearly a century.

No additional construction work is required for this project. All diversion facilities and related water conveyance and distribution systems are in place, and no additional vineyard will be developed.

GOVERNMENTAL REQUIREMENTS

Before a final decision can be made on your water right application, we must consider the information contained in an environmental document prepared in compliance with the requirements of CEQA. If an environmental document has been prepared for your project by another agency, we must consider it. If one has not been prepared, a determination must be made as to who is responsible for the preparation of the environmental document for your project. The following questions are designed to aid us in that determination.

2. Contact your county planning or public works department for the following information:

   (a) Person contacted Mendocino County Date of contact 5/23/03

   Department Planning & Building Telephone (707) 463-4281

   (b) Assessor'sParcelNo. 1) 167-310-14 2) 167-320-07 3) 167-320-08 4) 168-030-07

   5) 168-040-01 6) 168-040-02

   (c) County Zoning Designation 1) through 6) RR-10

   (d) Are any county permits required for your project? No If you answered yes, check appropriate spaces below:

   _____ Grading Permit, _____ Use Permit, _____ Watercourse Obstruction Permit,

   _____ Change of Zoning, _____ General Plan Change, _____ Other explain: _____

   _____

   (e) Have you obtained any of the required permits described above? N/A If you answered yes, provide a complete copy of each permit obtained.

3. Are any additional state or federal permits required for your project? No [i.e., from Federal Energy Regulatory Commission, U.S. Forest Service, Bureau of Land Management, Soil Conservation Service, Department of Water Resources (Division of Safety of Dams), Reclamation Board, Coastal Commission, State Lands Commission, etc.] For each agency from which a permit is required provide the following information:

   Permit type _____

   Person contacted _____ Agency _____

   Date on Contract _____ Telephone ( )_____

4. Has any public agency prepared an environmental document for any aspect of your project? No If so, please submit a copy of the latest environmental document(s) prepared, including a copy of the notice of determination adopted by the public agency.

If not, explain below whether you expect that a public agency other than the State Water Resources Control Board will be preparing and environmental document for your project or whether the applicant, if it is a California public agency, will be preparing the environmental document for your project:
The Applicant expects the State Water Resources Control Board will be the lead agency for the preparation of the appropriate environmental documents for this project.

Note: When completed, please submit a copy of the final environmental document (including notice of determination) or notice of exemption to the State Water Resources Control Board. Processing of your water right application cannot proceed until such documents are submitted.

5. Will your project, during construction or operation, generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or cause erosion, turbidity or sedimentation? No If so, explain: _____

If you answered yes or you are unsure of your answer, contact your local Regional Water Quality Control Board for the following information (See attachment for address and telephone number):
Will a waste discharge permit be required for your project? _____

Person contacted _____ Date of contact _____

What method of treatment and disposal will be used? _____
_____

6. Have any archeological reports been prepared on this project, or will you be preparing an archeological report to satisfy another public agency? No, but an archeological report will be conducted, and a copy of the report will be submitted to the SWRCB when complete.

Do you know of any archeological or historical sites located within the general project area? No

If so, explain: _____

ENVIRONMENTAL SETTING

7. Attach **THREE COMPLETE SETS** of color photographs, clearly dated and labeled, showing the vegetation currently existing at the following locations:
   (a) Along the stream channel immediately downstream from the proposed point(s) of diversion
   (b) Along the stream channel immediately upstream from the proposed point(s) of diversion
   (c) At the place(s) where the water is to be used

Note: It is very important that you submit no less than *three complete sets* of photographs as required above. If less than three sets are submitted, processing of your application will be delayed until you furnish the remaining sets!

8. From the list given below, mark or circle the general plant community types which best describe those which occur within your project area (Note: See footnote denoted by * under Question 11 below):

Tree Dominated Communities

- Subalpine Conifer
- Red Fir
- Lodgepole Pine
- Mixed Conifer
  - Sierran Mixed Conifer
  - White Fir
  - Klamath Mixed Conifer
- Douglas-Fir
- Jeffrey Pine
- Ponderosa Pine
- Eastside Pine
- Redwood
- Pinyon-Juniper
- Juniper
- Aspen
- Closed-Cone Pine-Cypress
- Montane Hardwood-Conifer
- Montane Hardwood
- Valley Foothill Hardwood
  - Blue Oak Woodland
- √ Valley Oak Woodland
  - Coastal Oak Woodland
- Valley Foothill Hardwood-Conifer
  - Blue Oak-Digger Pine
- Eucalyptus
- Montane Riparian
- Valley Foothill Riparian
- Desert Riparian
- Palm Oasis
- Joshua Tree

Shrub Dominated Communities

- Alpine Dwarf-Shrub
- Low Sage
- Bitterbrush
- Sagebrush
- Montane Chaparral
- Mixed Chaparral
- Chamise-Redshank Chaparral
- Coastal Scrub
- Desert Succulent Shrub
- Desert Wash
- Desert Scrub
- Alkali Desert Scrub

Herbaceous Dominated Communities

- Annual Grassland
- Perennial Grassland
- Wet Meadow
- Fresh Emergent Wetland
- Saline Emergent Wetland
- Pasture

Aquatic Communities

- √ Riverine
- Lacustrine
- Estuarine
- Marine

Developed Communities

- Cropland
- √ Orchard-Vineyard
- Urban

Literature source: Mayer, K.E., and W.F. Laudenslayer, Jr., (eds). 1988. A Guide to Wildlife Habitats of California. California Department of Forestry and Fire Protection, Sacramento. 166 pp. (Note: You may view a copy of this document at our public counter at the address given at the top of this form or you may purchase a copy by calling the California Department of Fish and Game, Wildlife Habitat Relationships (WHR) Program, at (916) 653-7203.)

9. Provide below an estimate of the type, number, and size (trunk/stem diameter at chest height) of trees and large shrubs that are planned to be removed or destroyed due to construction and operation of your project. Consider all aspects of your project, including diversion structures, water distribution and use facilities, and changes in the places of use due to additional water development.

There will be no impacts on trees and shrubs in the project area. The storage facility and irrigated lands are existing, with no future enlargements proposed. A biological survey of the project site is planned for the Spring of 2004, and will be submitted to the SWRCB upon completion.

FISH AND WILDLIFE CONCERNS

10. Identify the typical species of fish which occur in the source(s) from which you propose to divert water and discuss whether or not any of these fish species or their habitat has been or would be affected by your project (Note: See footnote denoted by * under Question 11 below):

The unnamed stream is ephemeral and does not support fishery habitat. The location of the existing reservoir is in accordance with SWRCB policy which sets forth that storage reservoirs shall not be located on any watercourse having fishery habitat value.

11. Identify the typical species of riparian and terrestrial wildlife in the project area and discuss whether or not any of these species and/or their habitat has been or would be affected by your project through construction of water diversion and distribution works and changes in the places of water use (Note: See footnote denoted by * below):

The property has historically been cultivated for roughly 40 years and stock-grazed for nearly 100 years. There will be no future impacts on riparian or terrestrial wildlife habitat. The diversion structure and irrigated lands are presently in use. As stated above, a biological survey will be conducted in Spring 2004 to address the biological setting of the project. A copy of the report will be submitted to the SWRCB upon completion.

*Note: The purposes of Questions 10 and 11 are to provide a preliminary assessment of the presence of typical plant and animal species in the project area and whether these species might be affected by your project. Detailed site surveys to quantify populations of specific species or determine the presence of rare or endangered species may be required at a later date. It is very important that you answer these questions accurately. If you are unable to obtain appropriate answers from your local California Department of Fish and Game biologists (see attachment for address and telephone number) or you do not have adequate information or expertise to complete your answers, you should hire a fishery consultant and/or a wildlife consultant to review your project and prepare suitable answers for you. For information on available qualified fishery or wildlife consultants near your, consult your local telephone directory yellow pages under **Environmental and Ecological Services**, or call the California Environmental Protection Agency, Registered Environmental Assessor (REA) Program at (916) 324-6881 or the University of California, Cooperative Extension Service (see your local telephone directory white pages).

12. Does your proposed project involve any construction or grading-related activity which has significantly altered or would significantly alter the bed or bank of any stream or lake? No

If so, explain:_____

_____

_____

_____

_____

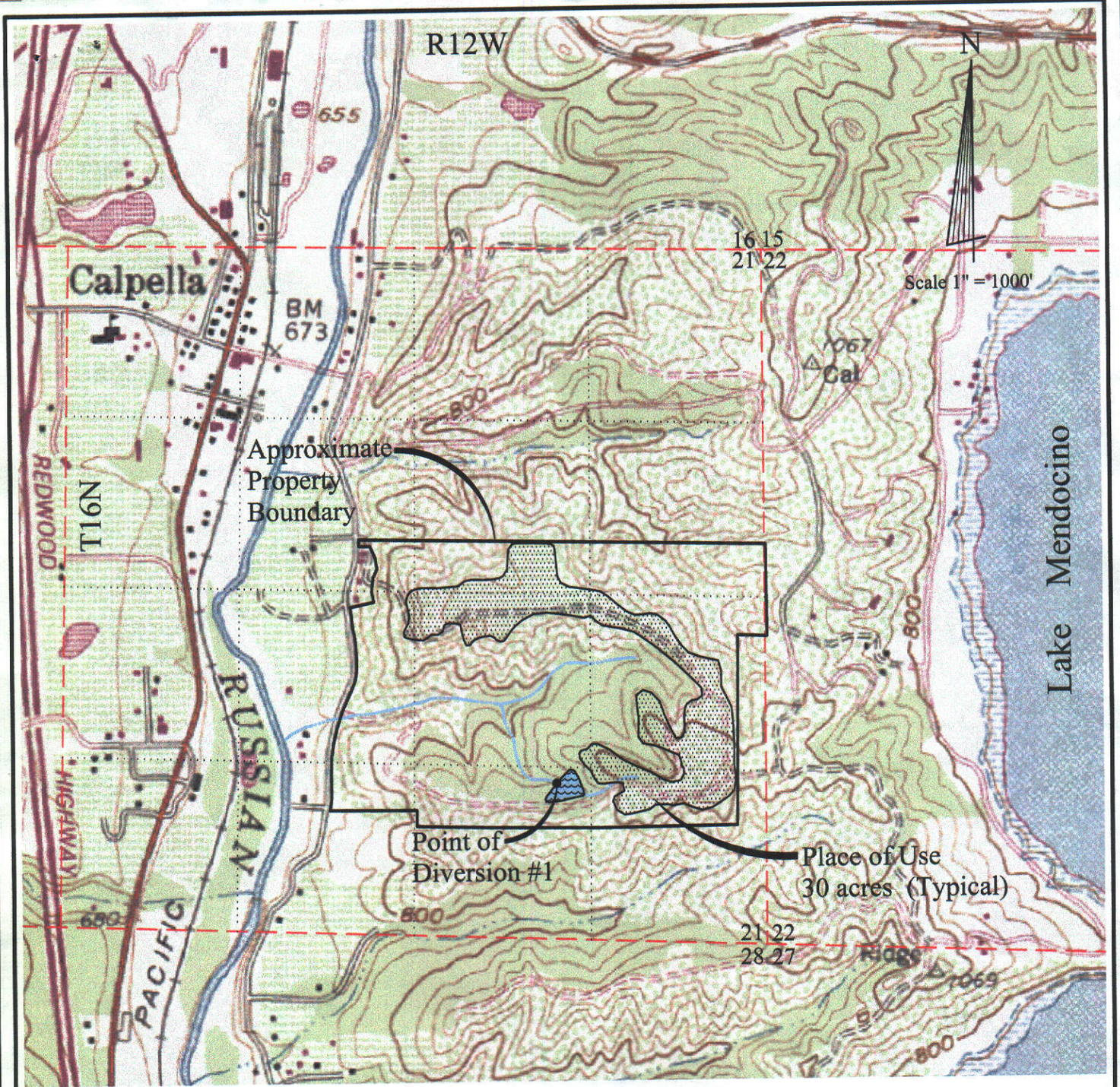
_____

_____

CERTIFICATION

I hereby certify that the statements I have furnished above and in the attached exhibits are complete to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge.

Date 5/23/03 Signature _____



Use is Within	Section	Township	Range	B&M	Acres	Cultivated
SW¼ of NE ¼	21	16N	12W	MD	4	Y
NW ¼ of SE ¼	21	16N	12W	MD	8	Y
NE ¼ of SE ¼	21	16N	12W	MD	12	Y
SE ¼ of SE ¼	21	16N	12W	MD	6	Y

Map to Accompany
Water Right Application_____
by
Welch Vineyard Management
for
Appropriation of Water
from
Unnamed Stream

Mendocino County, California

Map Point	Description
1	Point of Diversion by Collection to Storage in Reservoir #1 : Located N.569,630 and E.1,662,120, California Coordinate System, Zone 2. Being within SW¼ of SE¼ of projected Section 21, T16N, R12W, MDB&M.

Wagner&Bonsignore
Consulting Civil Engineers, A Corporation

Base map per USGS 7.5 Minute Quad maps for Ukiah

May 2003

Q:\Drawings\Welch Mark\Beaucage\dwg\Beaucage WRA.dwg